IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMM. FOR JUDGMENT N**O.753 of 2003**

IN

SUMM.SUIT NO.246 OF 2003

Dinesh Jaising .. Plff

versus

Pharma Intel (I) P.Ltd & anr Defts

Ms Parvati Kaushik i./bB.S.Chandanani for Plff

Mr A.N.Makhijani for Deft no.2

Mr H.Toor with Mr K.B.Irani for Deft no.6

CORAM : D.G. KARNIK, J

DATED : 26th April 2005.

P.C:-

1. Hd learned counsel for the parties. The Bill of Exchange on which the suit is based is drawn on 25th June, 1999 and is payable on demand. The suit has been filed on 13th December, 2002 i.e. after expiry of 3 yrs from the date of the bill. Prima facie, the defence of limitation gives rise to triable issues. In the circumstances, the defendants are granted

unconditional leave to defend the suit. Suit shall stand transferred to the list of commercial causes. The defendants to file the written statement within four weeks.

D.G.KARNIK, J